## REMARKS

Claims 1-11 and 13-19 were pending and considered. Claims 1-11 and 13-19 were rejected. In response, claims 1 and 15 have been amended. Accordingly, following entry of this amendment claims 1-11 and 13-19 will remain pending. Entry of this amendment, reconsideration and allowance are respectfully requested.

Claims 1-11 and 13-19 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In response, claims 1 and 15 have been amended. Accordingly, Applicants are of the opinion that the claims as amended are definite and do particularly point out and distinctly claim the subject matter regarded as the invention. Applicants are further of the opinion that this amendment should be entered and the rejection under 35 U.S.C. § 112, second paragraph should be removed.

Specifically, the Examiner stated an opinion that the term "said additive being $CaCO_3$" in claim 1 was indefinite in view of the language of dependent claim 15. In response, Claim 1 has now been amended to recite "...adding at least one additive to the fiber suspension, including at least $CaCO_3$ ...." Claim 15 has been amended to recite "...said step of adding at least one additive includes adding $Ca(OH)_2$...". Accordingly, Applicants are of the opinion that claims 1 and 15 are now consistent with each other and that the aforementioned amendments to claims 1 and15 should be entered and the rejection under 35 U.S.C. § 112, second paragraph should be removed. Entry of the amendment and removal of the rejection are respectfully requested.

Claims 1-11 and 13-19 have been rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent 4,510,020 (Green, et al.) in view if U.S. Patent 4,055,903 (Hansen et al) or U.S. Patent 5,810,973 (Carlsmith et al) and further in view of U.S. Patent 5,731,080 (Cousin et al.).The

Examiner's stated reasons for the rejection are the same as in the previous Office Action. In responding to the most recent arguments submitted by Applicants, the Examiner has expressed an opinion that claim 1 does not distinguish over refiners and disintegrators taught by the prior art. The Examiner states: "... disintegrators or refiners can be considered fluffers when operated under the proper conditions."

The Examiner's suggestion that disintegrators or refiners can be considered a fluffer when operated under the proper conditions ignores the fact that the prior art does not teach that the disintegrator or refiner is operated as a fluffer. The clear suggestion in the prior art is that the disintegrator or refiner is operated as the apparatus that it is; that is, it is operated as a disintegrator or as a refiner, not as a fluffer. Operation in either such condition is not operating as a fluffer. To do so is a process alteration such that the process is not one of refining or disintegrating, and accordingly the apparatus being used is no longer a refiner or disintegrator as the prior art requires.

Claim 1 has been amended to recite "...treating the fiber suspension and the at least one additive together in a fluffer operated under fiber stock suspension fluffing conditions...". It is respectfully submitted that none of the references teach this step or process condition. Accordingly, Applicants respectfully submit that the amendment to claim 1 should be entered and the claim allowed.

The prior art cited by the Examiner does not teach treating the fiber suspension with an additive under conditions of fiber stock suspension fluffing. As explained in detail in the previous response and in the declaration submitted therewith, treatment under conditions of refining in a refiner and treatment under conditions of disintegrating in a disintegrator cause substantial physical changes to the fibers. Applicants respectfully submit that the amendment to

claim 1 clearly recites Applicants process as one in which the treatment occurs in a fluffer under fluffing conditions, which is different from and not taught by the prior art use of a disintegrator or a refiner. Thus, the present invention provides treatment of the stock suspension and the loading of an additive into the fibers of the suspension without substantial changes to the physical characteristics of the fiber other than the adding of the additive thereto. Processes taught by the prior art which include the use of a refiner or a disintegrator can not achieve fiber loading without substantial physical changes to the fibers in the stock suspension. Accordingly, the present invention provides advantages over the prior art. Claim 1 clearly recites differences between the present invention and the prior art. Applicants are of the opinion that the amendment to claim 1 should be entered in that it makes claim 1 allowable over the prior art. The remaining claims depend either directly or indirectly from claim 1 and therefore include all of the limitations thereof while adding further specificity to the invention recited therein. Accordingly, Applicants respectfully submit that the claims dependent from claim one also should be allowed. Entry of the amendment and allowance of the claims are respectfully requested.

It should further be noted that the teaching of Greene relied on by the Examiner as the primary reference is contrary to and in fact the opposite of the present invention. Greene teaches providing the filler in a suspension and adding fibers thereto. In contrast, the present invention, as recited in claim 1, teaches providing the fibers in a fiber stock suspension and adding an additive to the fibers in the suspension.

It is respectfully submitted that Applicants have discovered a new fiber treating process. Specifically, Applicants have discovered that a fluffer can be used in a fiber loading process, which is a process in which an additive is loaded in the fibers of a fiber suspension. Previously more aggressive treatment such as by a refiner was believed to be necessary to accomplish fiber

loading. Applicants have discovered a process in which fiber loading can be achieved without otherwise substantially altering the physical characteristics of the fibers.

For the foregoing reasons, Applicants submit that the pending claims are definite and do particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Moreover, Applicants submit that no combination of the cited references teaches, discloses or suggests the subject matter of the amended claims. The pending claims are therefore in condition for allowance, and Applicants respectfully request withdrawal of all rejections and allowance of the claims.

In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefor and authorize that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being transmitted via facsimile to the U.S. Patent and Trademark Office, on: August 3, 2005.

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Signature

August 3, 2005
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